

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

JUL 27 2012

PATRICK E. DUFFY CLERK
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U.S. DISTRICT COURT
BILLINGS DIVISION

JOHN MORGAN MEEKS,)	Cause No. CV 12-91-BLG-RFC
)	
Petitioner,)	
)	
vs.)	ORDER DISMISSING PETITION
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

On July 20, 2012, the Court received from Petitioner Meeks a document purporting to be a petition for writ of habeas corpus under 28 U.S.C. § 2241. Meeks descends into profanity and use of initials to conceal what he is really saying. He also has not paid the filing fee, but there is no need to delay resolution of this matter on that basis.

None of Meeks's allegations can be addressed in a § 2241 petition. It is not possible to use § 2241 as a vehicle to challenge determinations in previous civil or criminal cases in this Court or to resurrect litigation concluded many years ago.

Counsel will not be appointed in this action because this action is frivolous.

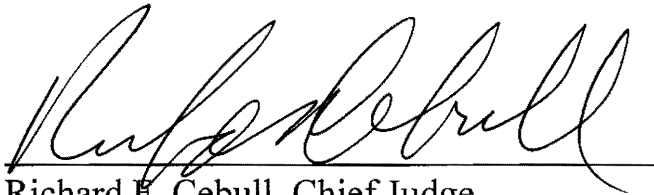
Just as Judge Molloy has already told Meeks, to the extent he seeks free copies of documents from the Clerk of Court, he himself or his lawyers received the free copies to which he was entitled in the course of the criminal case and any other case he has litigated or been involved with in this Court. He has also been served with copies of all orders issued after entry of judgment. Documents in the public record are available to him at his expense but not at public expense.

To the extent Meeks seeks to show that his conviction is invalid, he must file a motion under 28 U.S.C. § 2255 in the criminal case, and he must first obtain authorization from the Court of Appeals to do that because he has already filed a § 2255 motion and litigated it to completion. Meeks's complaints about characterizations of him arising from the contents of his criminal record as set forth in the presentence report in the criminal case, *e.g.*, Pet. at 7, should have been addressed on direct appeal or in his § 2255 motion. As they were not, they cannot be altered now.

Accordingly, IT IS HEREBY ORDERED that the Petition (doc. 1) is DISMISSED. The Court CERTIFIES, pursuant to Fed. R. App. P. 24(a)(3)(A), that any appeal from this disposition would not be taken in good faith and Meeks should

not be permitted to prosecute an appeal in forma pauperis.

DATED this 27 day of July, 2012.

A handwritten signature in black ink, appearing to read "Richard F. Cebull", written over a horizontal line.

Richard F. Cebull, Chief Judge
United States District Court